THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23087 OF 2005

DATED:27.10.2005

Between:

P. Parthasarthy

…Petitioner

And

Mandal Revenue Officer

Satyavedu Mandal, Satyavedu

Chittoor District and others

…Respondents

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WRIT PETITION NO.23087 OF 2005

ORDER:

The petitioner claims to have inherited the property admeasuring Acs.6.01 in S.Nos.47/2, 60/2, 60/8, 60/11, 60/14, 61/6, 61/17, 62/3, 67/11, 67/13 and 57/3 of P.V.Puram Village, Satyavedu Mandal, Chittoor District, from his mother. He filed the Writ Petition alleging that he reliably learnt that first respondent issued pattadar pass books for the above said land to respondents 2 to 4 under the provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short, the Act) without issuing notice and without conducting enquiry. The petitioner therefore made a representation to the first respondent on 7.10.2005, in vain. Therefore, he filed the Writ Petition seeking a direction to first respondent to cancel the pattadar pass books issued to respondents 2 to 4.

Sub-section (5) of Section 5 of the Act gives right of appeal to a person before the Revenue Divisional Officer, if such person is aggrieved by any order of the Mandal Revenue Officer either amending or refusing to amend the record of rights. The petitioner has not availed the remedy. Without availing such remedy, petitioner only made a representation very recently on 7.10.2005 and immediately rushed to this Court for redressal. In view of these two factors, this Court is not inclined to interfere in the matter at this stage. Liberty is given to the petitioner to file appeal before the jurisdictional Revenue Divisional Officer against the order/decision of first respondent to grant pattadar pass books to respondents 2 to 4. As and when such appeal is filed, the same shall be considered by the concerned Revenue Divisional Officer in accordance with law.

The Writ Petition with the above observations and directions is accordingly dismissed.

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(V.V.S.RAO, J)

27.10.2005

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